

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments) MB Docket No. 03-219
FM Broadcast Stations) RM - 10797
(Statesville and Clemmons, North Carolina))

To: Office of the Secretary
Attn: Assistant Chief, Audio Division
Media Bureau

REPLY COMMENTS

Mercury Broadcasting Company, Inc. ("Mercury"), licensee of WFMX(FM), Statesville, North Carolina, by its counsel, hereby submits its Reply Comments to the Comments and Counterproposal of Dick Broadcasting Company, Inc. ("DBC") in the above-captioned proceeding. *See Notice of Proposed Rule Making*, DA 03-3039 (2003). In its Petition for Rule Making (the "Petition"), Mercury proposed to delete Channel 289C from Statesville, North Carolina, and allot Channel 289C1 to Clemmons, North Carolina as that community's first local service. DBC questions Mercury's *Tuck* showing and proposes instead that Channel 289A be allotted to Iron Gate, Virginia. For the reasons given below, DBC's Comments do not refute Clemmons' independence. Moreover, DBC's Counterproposal is defective and should be dismissed.

A. Mercury's Petition presents conclusive evidence illustrating that the community of Clemmons satisfies the *Tuck* requirements.

1. Clemmons is located within the Winston-Salem, North Carolina Urbanized Area. Further, while Clemmons is located outside the Greensboro and High Point, North Carolina Urbanized Areas, the proposed 70 dBu contour will encompass more than 50% of these

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Urbanized Areas. Therefore, a *Tuck* showing was required for all three urbanized areas, which Mercury provided to the Commission in its Petition. *See Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988). However, as noted below and discussed in the Petition, WFMX(FM) is already serving the Winston-Salem, High Point, and Charlotte, North Carolina Urbanized Areas and therefore the Commission's policy against migration from a rural to an urban area is not implicated by this relocation.

2. The first *Tuck* factor requires the Commission to examine the signal population coverage from the proposed transmitter site. In its Petition, Mercury indicated that from the proposed transmitter site, WFMX(FM) would place a 70 dBu contour to 100% of the Winston-Salem Urbanized Area, 67% of the Greensboro Urbanized Area, and 68.2% of the High Point Urbanized Area. By comparison, the existing WFMX(FM) transmitter site places a 70 dBu contour to approximately 80% of the Winston-Salem Urbanized Area, as well as some portions of the Charlotte Urbanized Area and the High Point Urbanized Area. *See Engineering Exhibit.*¹

3. In its Comments, DBC makes the unbelievable assertion that it was unable to locate a single case where a petitioner proposing to cover 100% of an Urbanized Area prevailed in a rule making petition. Comments and Counterproposal at 6. However, there are *numerous* examples where the Commission granted a community of license change for a petitioner who proposed to cover 100% of an Urbanized Area. *See, e.g., Rose Hill and La Grange, North Carolina*, 17 FCC Rcd 17132 (2002) (Commission approved proposal to cover 100% of the Goldsboro, North Carolina Urbanized Area); *Albion, Honeoye Falls, and South Bristol*

¹ In its Petition, Mercury stated that the existing WFMX(FM) transmitter site covers 100% of Winston-Salem. However, as correctly indicated by DBC, the existing WFMX(FM) transmitter site actually covers approximately 80% of Winston-Salem. *See Engineering Exhibit.* Additionally, the map submitted in Mercury's Petition did not accurately depict the Urbanized Areas. This error has been corrected, and all Urbanized Areas are accurately depicted in the attached Engineering Exhibit.

Township, New York, 13 FCC Rcd 15376 (1998) (Commission approved proposal to cover 100% of the Rochester, New York Urbanized Area); *Jupiter and Hobe Sound, Florida*, 12 FCC Rcd 3570 (1997) (Commission approved proposal to cover 100% of the Stuart, Florida Urbanized Area); *Bon Air, Virginia, et al.*, 11 FCC Rcd 5758 (1996) (Commission approved proposal to cover 100% of the Petersburg, Virginia Urbanized Area). Further, there are instances when a proposed 70 dBu contour covers 100% of an Urbanized Area and a *Tuck* showing is not required. Specifically, when a proposed 70 dBu contour will cover at least 50% of an Urbanized Area, but the community of license is not in the Urbanized Area, the Commission will not require a *Tuck* showing if the 70 dBu contour had previously covered at least 50% of the same Urbanized Area. See e.g. *Dayton, Incline Village and Reno, Nevada*, 15 FCC Rcd 22461 (2000); *St. Maries, Idaho and Spokane, Washington*, 14 FCC Rcd 17012 (1999); *Boulder and Lafayette, Colorado*, 12 FCC Rcd 583 (1997). In *St. Maries, Idaho and Spokane, Washington*, the Commission did not require a *Tuck* showing where a station proposed to change its community of license and increase its coverage over an urbanized area from 60% to 100%. 14 FCC Rcd 17012. In *Dayton, Incline Village and Reno, Nevada*, and *Boulder and Lafayette, Colorado* a *Tuck* showing was not required for increases in coverage over an urbanized area, from 77.1% to 87.7% and from 95% to 100%, respectively. *Dayton, Incline Village and Reno, Nevada*, 15 FCC Rcd 22461; *Boulder and Lafayette, Colorado*, 12 FCC Rcd 583. Therefore, though DBC attempts to depict the proposed relocation as unusual, in fact it is similar to many other cases routinely approved by the Commission and raises no special concerns.

4. The second *Tuck* factor requires the Commission to examine the size and proximity of the proposed community relative to the adjacent city. In its Petition, Mercury indicated that the 2000 Census population of Clemmons (13,827) is 7.4% of the population of

Winston-Salem (185,776), 16.1% of the population of High Point (85,839), and 6.1% of the population of Greensboro (223,891). Further, Mercury's Petition states that Clemmons is located 15.15 kilometers from Winston-Salem, 35.62 kilometers from High Point, and 52.49 kilometers from Greensboro. DBC did not dispute these figures, but stated that they are not dispositive. Comments and Counterproposal at 7. In fact, however, these figures are similar to those of other proposed communities granted a first local preference, and therefore are dispositive. See e.g. *Old Fort, Fletcher, and Asheville, North Carolina; Surgoinville, Tennessee, and Augusta, Georgia*, 18 FCC Rcd 12181 (2003) (Fletcher's population is 6.7% of that of Asheville, and Fletcher is located 17 kilometers from Asheville); *Malvern and Bryant, Arkansas*, 14 FCC Rcd 3576 (1999) (Bryant's population is 3% of that of Little Rock, and Bryant is located 20 miles from Little Rock).

5. The third, and most significant, *Tuck* factor requires the Commission to determine the independence of the proposed community. In its Petition, Mercury presented substantial evidence demonstrating the independence of Clemmons from the Winston-Salem, High Point, and Greensboro Urbanized Areas. However, DBC questions this analysis, asserting that five of the eight factors show dependence. Comments and Counterproposal at 11. However, DBC's assertions are not in accordance with the large body of case law in this area.

(1) *Extent to which the residents of Clemmons work in Clemmons.* In its Petition, Mercury stated that 18.2% of Clemmons' residents work in Clemmons. This percentage is greater than many other communities granted a first local service preference (Priority 3). See *Anniston and Ashland, Alabama, and College Park Georgia, et al.*, 16 FCC Rcd 3411 (2001) (16% of the residents of College Park worked in College Park); *Albemarle and Indian Trail, North Carolina*, 16 FCC Rcd 13876 (2001) (11.3% of working-age residents

worked in community); *Coolidge and Gilbert, Arizona*, 11 FCC Rcd 3610 (1996) (13% of Gilbert's working population actually worked in Gilbert). Further, DBC conceded that this percentage is "in Mercury's favor." Comments and Counterproposal at 11.

(2) *Newspapers and other media that cover Clemmons' local needs and interests.* In its Petition, Mercury presented evidence that the *Clemmons Courier* is the local newspaper that serves the local needs and interests of Clemmons. Additionally, the Village of Clemmons maintains its own web page at <www.clemmons.org>, and uses the local public television station to relay important information to the residents of Clemmons. DBC conceded that this factor indicates independence. Comments and Counterproposal at 11.

(3) *Community leaders and residents perceive Clemmons as being separate from Winston-Salem, High Point, and Greensboro.* In its Petition, Mercury presented evidence of the history of Clemmons, including its development as a community with its own identity. Mercury supplements this showing to provide the statement of Mayor Edward Y. Burns which states that Clemmons has its own unique identity, independent of its larger urban neighbors. See Exhibit A.²

(4) *Clemmons has its own local government and elected officials.* In its Petition, Mercury presented evidence describing Clemmons' local government and elected officials. This included a listing of numerous services provided to the residents of Clemmons, including inspections, permits, zoning, site plans, garbage collection, recycling, leaf/limb

² Additionally, DBC indicated that Clemmons is a part of the Piedmont Triad region and the Greensboro/Winston-Salem/High Point Standard Metropolitan Statistical Area. However, Clemmons association with a larger region does not preclude a finding of independence. For example, Greensboro and High Point are part of the Greensboro-High Point North Carolina Metropolitan Statistical Area, but this does not mean that they are the same community under *Tuck*. On the contrary, the very fact that Greensboro and High Point are distinct Urbanized Areas, makes them separate communities under *Tuck*. See *Faye and Richard Tuck, supra*. Therefore, a community can be associated with other communities without losing its independence.

pickup, bulk pickup, street lights, and street maintenance. Although Clemmons relies on Forsyth County for a number of municipal services, this is not unusual and does not preclude a finding of independence. Further, it is significant that Clemmons relies on Forsyth County, not Winston-Salem, Greensboro or High Point for some services. Moreover, Mercury's research indicates that in the overriding majority of cases, the mere presence of a local government is the most important factor in determining independence. *See e.g. Detroit Lakes and Barnesville, Minnesota, and Enderlin, North Dakota*, 17 FCC Rcd 25055 (2002); *Pleasanton, Bandera, Hondo, and Schertz, Texas*, 15 FCC Rcd 3068 (2000); *Pitkin, Lake Charles, Moss Bluff, and Reeves, Louisiana, et. al.*, 15 FCC Rcd 17311 (2000). Therefore, this factor clearly favors independence.

(5) *Clemmons has its own zip code and separate governmental listings in the local telephone book.* In its Petition, Mercury stated that Clemmons has its own zip code and provided evidence that Clemmons has a separate governmental listing in the regional Winston-Salem/Forsyth County Telephone Directory published by BellSouth. DBC, does not refute this point, but rather states that "this constitutes a draw." Comments and Counterproposal at 9. However, the zip code favors independence and the lack of a separate telephone directory is not fatal to a finding of independence. *See Crisfield, et. al.*, 18 FCC Rcd 19199 (2003). Therefore, this factor is in Clemmons' favor.

(6) *Clemmons has its own commercial establishments and health facilities.* In its Petition, Mercury provided the Commission with a substantial list of businesses, commercial establishments, health facilities, religious organizations, and community groups that are located in Clemmons. This list included businesses that identify with the community by using "Clemmons" in the name of the business, and businesses that serve the residents of Clemmons,

but do not have “Clemmons” in their name. However, DBC challenges Mercury’s showing by stating that Mercury provided no evidence that these “Clemmons” businesses were actually in Clemmons. Comments and Counterproposal at 10. DBC confuses two distinct points. To clarify, Mercury provided businesses with Clemmons in the name to demonstrate a nexus between the business community and the community of Clemmons. Further, the evidence submitted by Mercury indicates that these businesses are located in Clemmons which is evidenced by their “Clemmons, NC 27012” addresses. This factor clearly favors independence.

(7) *Clemmons is a separate and distinct advertising market from Winston-Salem, High Point, and Greensboro.* In its Petition, Mercury provided the Commission with the statement of Ms. Henderson of *The Clemmons Courier* indicating that this newspaper enables local businesses to reach the residents of Clemmons without having to rely on Winston-Salem, Greensboro, or High Point media sources. DBC contends that this statement is self-serving, but Mercury does not agree. Ms. Henderson, being an employee of *The Clemmons Courier*, is in an excellent position to gauge the local Clemmons advertising market.

(8) *Clemmons has its own library, and its police and fire protection are independent of Winston-Salem, High Point, and Greensboro.* In its Petition, Mercury provided the Commission evidence that the Clemmons Fire Department has been serving the citizens of the Village of Clemmons since 1951. It operates out of two fire stations and covers an area of approximately 56 square miles. Also, Clemmons’ library, police force, and schools are part of the larger Forsyth County system and are not provided by Winston-Salem. DBC states that the fact that some of these services are provided by Forsyth County indicate that Clemmons is not an independent community. Comments and Counterproposal at 11. However, it is common for

a community to rely on outside sources for some of its municipal services, and as noted above, Clemmons does not rely of Winston-Salem, Greensboro, or High Point for these services.

6. Based on the foregoing evidence, Mercury believes that Clemmons satisfies all eight of the *Tuck* factors for independence. Further, Mercury feels that based the overwhelming body of case law presented plainly illustrates that this in not a close case. Therefore, the Commission should grant Mercury's original Petition for Rule Making because it is in the public interest as Clemmons, North Carolina will receive its first local service and 401,070 people will receive new radio service.

B. DBC's Counterproposal is Defective and Should Be Dismissed.

7. DBC's comments also include a Counterproposal, proposing to (1) involuntarily downgrade Channel 289C at Statesville, North Carolina to Channel 289C1 and realLOT Channel 289C1 from Statesville to Clemmons, North Carolina at the current transmitter site for WFMX; and (2) allot Channel 289A to Iron Gate, Virginia as its first local service. However, this Counterproposal is defective and should not be placed on public notice. Moreover, there is no need for such a public notice because an Iron Gate allotment can be made on any one of three alternate channels.

8. Specifically, DBC proposes that WFMX(FM) serve Clemmons as a Class C1 station from its current transmitter site. However, in Mercury were to remain at its current site, it would do so with its current Class C facilities, not as a downgraded Class C1. Therefore, what DBC proposes is essentially an involuntary downgrade. Mercury would not consent to such a downgrade, because it would serve no purpose. Mercury's proposal to downgrade WFMX and relocate the station to a *new* site from which it could serve Clemmons would result in a substantial *increase* in radio service (to 401,070 people), as set forth in Mercury's Petition. On

Counterproposal, but not for the purposes of Mercury's Petition. DBC cannot have it both ways.³


CONCLUSION

For the foregoing reasons, the Commission should grant Mercury's original Petition for Rule Making because it is in the public interest as Clemmons, North Carolina will receive its first local service and 401,070 people will receive new radio service. Further, DBC's Counterproposal should be dismissed, and should not be placed on public notice. If the Commission nevertheless accepts the Counterproposal by Public Notice, Mercury reserves the right to comment on the comparative merits of the Counterproposal at that time.

Respectfully submitted,

MERCURY BROADCASTING
COMPANY, INC.

By:


Harry C. Martin
Fletcher Heald & Hildreth, PLC
1300 North 17th Street
11th Floor
Arlington, VA 22209-3801
(703) 812-0415

Its Counsel
December 16, 2003

³ DBC's apparent confusion on this subject is underscored by its references to the "Covington Urbanized Area" and the "Clifton Forge Urbanized Area." Comments and Counterproposal at 15. There are no such areas. Covington and Clifton Forge are located in Urban Clusters, but neither area contains enough total population (50,000) to be designated as an Urbanized Area.

ENGINEERING EXHIBIT

JOHN J. MULLANEY
JOHN H. MULLANEY, P.E. (1994)
ALAN E. GEARING, P.E.

MULLANEY ENGINEERING, INC.

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ENGINEERING EXHIBIT EE-RM:

REPLY COMMENTS - MB DOCKET 03-219

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**DELETE CH. 289C AT STATESVILLE, NC
ALLOT CH. 289C1 TO CLEMMONS, NC**

DECEMBER 15, 2003

**ENGINEERING STATEMENT PREPARED ON BEHALF OF
MERCURY BROADCASTING COMPANY, INC.
LICENSEE OF WFMX (FM)
CHANNEL 289C - STATESVILLE, NORTH CAROLINA**

Facility ID: 501

ENGINEERING EXHIBIT EE-RM:

REPLY COMMENTS - MB DOCKET 03-219

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**DELETE CH. 289C AT STATESVILLE, NC
ALLOT CH. 289C1 TO CLEMMONS, NC**

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2. Narrative Statement
3. Figure 1, Channel Study for Ch. 289C1.
From Special Ref. Point for Clemmons, NC
4. Figure 2, Existing vs: Proposed Coverage Map. **REVISED 12/2003**
5. Figure 3, Distances to Urbanized Areas.

From City Ref. Point for Iron Gate, VA 12/2003

6. Figure 4, Channel Study for 240A
7. Figure 5, Channel Study for 252A
8. Figure 6, Channel Study for 270A

Declaration

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an principal engineer in the firm of Mullaney Engineering, Inc., and that I have provided engineering services in the area of telecommunications since 1977. My qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission.

The firm of Mullaney Engineering, Inc., has been requested by Mercury Broadcasting Company, Inc., to prepare the instant engineering exhibit in support of reply comments regarding a rule making petition MB Docket 03-219 to amend the FM Table of Allotments (FCC Facility ID Number: 501).

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

/s/ John J. Mullaney

John J. Mullaney, Consulting Engineer

Executed on the 15th day of December 2003

ENGINEERING EXHIBIT EE-RM:

REPLY COMMENTS - MB DOCKET 03-219

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**DELETE CH. 289C AT STATESVILLE, NC
ALLOT CH. 289C1 TO CLEMMONS, NC**

NARRATIVE STATEMENT:

This engineering statement has been prepared on behalf of Mercury Broadcasting Company, Inc., licensee of Radio Station WFMX, at Statesville, North Carolina (Facility ID 501). The purpose of this statement is to provide engineering in support of reply comments in MB Docket 03-219 regarding a rule making petition to amend the FM Table of Allotments to delete Ch. 289C at Statesville and re-allot Ch. 289C1 to Clemmons, NC, and to modify the license of WFMX accordingly.

Specifically this statement is responding to some of the issues raised in comments and counterproposal filed by Dick Broadcasting Company of Tennessee.

CORRECTION OF INFORMATION FILED

Dick Broadcasting is correct when they state that the map submitted as Figure 2 in the original engineering **did not** depict Urbanized Areas as stated. That map is being replaced herein with a map which more closely approximates (95% accuracy) the outline of Urbanized Areas. In addition, it was incorrectly stated that the existing licensed operation of WFMX covered 100% of the Winston-Salem UA. The existing WFMX facility serves approximately 80% of the Winston-Salem UA.

COUNTERPROPOSAL - IRON GATE, VIRGINIA

Dick Broadcasting also submits a counterproposal to allot Ch. 289A as a first local service to Iron Gate, Virginia. Their request has used a special reference coordinate for Iron Gate which is for a site 7 km (4.35 miles) southwest of the city itself. Use of Ch. 289A at Iron Gate precludes the request by WFMX to re-allot 289C1 from Statesville to Clemmons with a new reference point.

The following coordinates are within the confines of Iron Gate, VA:

N. Latitude:	37°	47'	51"	NAD-27
W. Longitude:	79°	47'	30"	

It has been determined that Channels 240A, 252A and 270A all meet the minimum separation requirements from the Iron Gate reference coordinates presented above. Thus, it is possible to simultaneously allot a new service to both Clemmons, NC & to Iron Gate, VA. Figures 4, 5 & 6 are channel studies

demonstrating compliance on each of those channels from the Iron Gate city reference point.

SUMMARY

Mercury Broadcasting Company, Inc., licensee of Radio Station WFMX, at Statesville, North Carolina (Facility ID 501) herein submits the following reply comments in MB Docket 03-219 which requests that the FM Table of Allotments be amended to delete Ch. 289C at Statesville and re-allot Ch. 289C1 to Clemmons, NC and to modify the license of WFMX accordingly. In addition, WFMX suggests the allotment of 240A, 252A or 270A in lieu of allotting 289A at Iron Gate, VA.

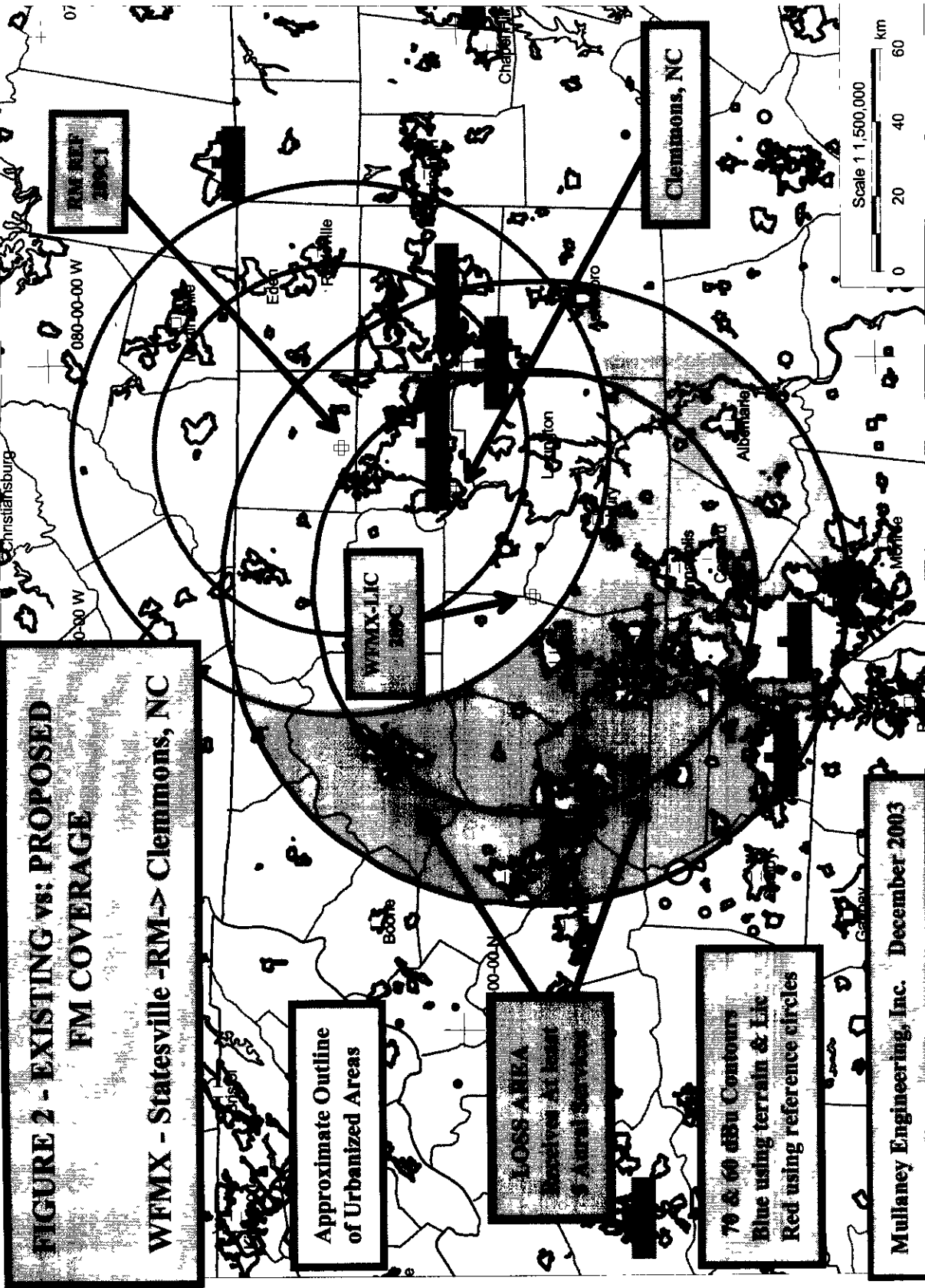
	Present	Proposed
Statesville, NC	245C, 289C	245C
Clemmons, NC	- - -	289C1
Iron Gate, VA	- - -	240A or 252A or 270A

WFMX believes that the proposed change in community and establishment of a new first service facility at Clemmons will **serve the public interest**. If granted, WFMX will quickly file an application for construction permit.

/s/ John J. Mullaney

John J. Mullaney, Consulting Engineer

December 15, 2003.



**FIGURE 2 - EXISTING vs: PROPOSED
FM COVERAGE**

WFMX - Statesville - RM -> Clemmons, NC

Approximate Outline
of Urbanized Areas

LOSS AREA
Receives Air Interat
S Aural Services

70 & 60 dBu Contours
Blue using terrain & Lix
Red using reference circles

Mullaney Engineering, Inc. December 2003

MERCURY BROADCASTING
ALTERNATE 1 - CHANNEL 240A - IRON GATE, VA

REFERENCE	CLASS - A	DISPLAY DATES
37 47 51 N		DATA 12-13-03
79 47 30 W	Current Spacings	SEARCH 12-15-03
----- Channel 240 - 95.9 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
WROVFM	LIC 242C1	Martinsville	VA 78.13	194.7	74.5	3.63
WBHBFM	LIC 241B1	Broadway	VA 112.58	40.5	95.5	17.08
WSTG	LIC 240A	Princeton	WV 136.29	244.3	114.5	21.79
WFLOFM	LIC-D 239B	Farmville	VA 134.77	112.5	112.5	22.27
WZXI	LIC 238A	Buffalo Gap	VA 65.49	49.0	30.5	34.99
WRLB	LIC-D 237B1	Rainelle	WV 87.25	282.1	47.5	39.75
WDKL	LIC 240A	Grafton	WV 174.01	353.4	114.5	59.51
RADD	ADD 294A	Amherst	VA 74.94	100.1	9.5	65.44
WKWS	LIC 241B	Charleston	WV 184.46	290.6	112.5	71.96
WHFI	LIC 294A	Lindside	WV 84.34	245.7	9.5	74.84

CHANNEL STUDY - 240A - CITY REFERENCE

RADIO STATION WFMX (FM)
 REPLY COMMENTS - MB DOCKET 03-219
 ADD 289C1 - CLEMMONS, NORTH CAROLINA

MULLANEY ENGINEERING, INC.
 GAITHERSBURG, MARYLAND

FIGURE 4
 DECEMBER 2003

MERCURY BROADCASTING
ALTERNATE 2 - CHANNEL 252A - IRON GATE, VA

REFERENCE	CLASS = A	DISPLAY DATES
37 47 51 N		DATA 12-13-03
79 47 30 W	Current Spacings	SEARCH 12-15-03
----- Channel 252 - 98.3 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
WBRF	LIC-D 251C	Galax	VA 165.16	213.9	164.5	0.66
WACL	LIC 253B1	Elkton	VA 111.34	53.1	95.5	15.84
WACL.C	CP 253B1	Elkton	VA 111.36	53.1	95.5	15.86
WZZU	LIC 250C3	Lynchburg	VA 58.82	116.2	41.5	17.32
WRONFM	LIC 249A	Ronceverte	WV 63.73	270.3	30.5	33.23
WICE	LIC-Z 252C3	Clarksville	VA 181.52	142.5	141.5	40.02
RADD	ADD 253A	Gassaway	WV 130.00	318.9	71.5	58.50
WDNEFM	LIC 255B1	Elkins	WV 123.49	0.1	47.5	75.99

CHANNEL STUDY - 252A - CITY REFERENCE

RADIO STATION WFMX (FM)
 REPLY COMMENTS - MB DOCKET 03-219
 ADD 289C1 - CLEMONS, NORTH CAROLINA

MULLANEY ENGINEERING, INC.
 GAITHERSBURG, MARYLAND

FIGURE 5
 DECEMBER 2003

MERCURY BROADCASTING
ALTERNATE 3 - CHANNEL 270A - IRON GATE, VA

REFERENCE 37 47 51 N 79 47 30 W	CLASS = A Current Spacings ----- Channel 270 - 101.9 MHz -----	DISPLAY DATES DATA 12-13-03 SEARCH 12-15-03
--	--	--

Call	Channel	Location	Dist	Azi	FCC	Margin
WJJX	LIC 269A	Lynchburg	VA 71.89	124.8	71.5	0.39
RDEL	DEL 271C	Reidsville	NC 169.39	184.5	164.5	4.89
WJMH	LIC 271C	Reidsville	NC 169.39	184.5	164.5	4.89
WHTEFM	LIC 270A	Ruckersville	VA 123.87	62.7	114.5	9.37
WVOWFM	LIC 270B	Logan	WV 191.99	272.7	177.5	14.49
WZZI	LIC 268A	Vinton	VA 48.37	187.9	30.5	17.87
RADD	ADD 271C0	Reidsville	NC 169.39	184.5	151.5	17.89
WZZI.A	APP-Z 268A	Vinton	VA 48.62	194.3	30.5	18.12
WVAQ	LIC 270B	Morgantown	WV 201.72	355.3	177.5	24.22
WWBU	LIC 269A	Radford	VA 100.58	223.8	71.5	29.08
WPAR	LIC-D 217C3	Salem	VA 48.60	194.2	11.5	37.10
971023	APP-Z 273A	Shawsville	VA 75.32	205.8	30.5	44.82
971021	APP-D 273A	Shawsville	VA 75.67	206.1	30.5	45.17
971023	APP-N 273A	Shawsville	VA 77.65	217.5	30.5	47.15
AP217	APP-D 217A	Middlebrook	VA 58.53	45.5	9.5	49.03
ALLO	VAC 273A	Shawsville	VA 82.61	211.6	30.5	52.11
971022	APP-N 273A	Shawsville	VA 88.79	214.4	30.5	58.29

CHANNEL STUDY - 270A - CITY REFERENCE

RADIO STATION WFMX (FM)
 REPLY COMMENTS - MB DOCKET 03-219
 ADD 289C1 - CLEMMONS, NORTH CAROLINA

MULLANEY ENGINEERING, INC.
 GAITHERSBURG, MARYLAND

FIGURE 6
 DECEMBER 2003

EXHIBIT A

To Whom It May Concern:

My name is Edward Y. Brewer, and I am the Mayor of Clemmons, North Carolina. As Mayor, I can attest to the fact that Clemmons has its own unique identity, independent of its larger urban neighbors. Clemmons offers its residents a desirable place to live and work, a long history, and a strong sense of community. The Village Council strives to provide the highest quality municipal services to the residents of Clemmons. Further, Clemmons has a vibrant business community that exists independently of Winston-Salem, Greensboro, and High Point.

Sincerely,


A handwritten signature in black ink, appearing to read 'E. Y. Brewer', written over a horizontal line.

Edward Y. Brewer
Mayor of Clemmons

CERTIFICATE OF SERVICE

I, Harry C. Martin, hereby certify that on this sixteenth day of December, 2003, a copy of the foregoing "Reply Comments" was sent via first-class mail, postage prepaid, to the following:

Barry A. Friedman
Thompson Hine, LLP
1920 N Street, N.W.
Suite 800
Washington, D.C. 20036
(Counsel to Dick Broadcasting Company
of Tennessee)


Harry C. Martin